

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

May 14, 2013

Lyle W. Cayce
Clerk

No. 12-20252

Summary Calendar

GEORGE D. LABLANCHE, III,

Plaintiff-Appellant

v.

PRAIRIE VIEW A AND M UNIVERSITY,

Defendant-Appellee

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:12-CV-1035

Before JONES, DENNIS, and HAYNES, Circuit Judges.

PER CURIAM:*

George D. LaBlanche, III, moves this court for leave to proceed in forma pauperis (IFP) on appeal from the dismissal of the instant civil suit, which raised claims concerning TEACH grant funds and student government elections at the defendant university. The district court denied LaBlanche leave to proceed IFP on appeal after noting that he had not established impoverishment and that the instant suit was precluded by a prior order.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

No. 12-20252

We will not grant LaBlanche authorization to proceed IFP on appeal absent a showing that he is a pauper and that the appeal presents a nonfrivolous issue and is thus taken in good faith. *See Carson v. Polley*, 689 F.2d 562, 586 (5th Cir. 1982). If the appeal is frivolous, we may dismiss it sua sponte. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.24 (5th Cir. 1997); 5TH CIR. R. 42.2.

The sparse arguments raised in LaBlanche's filings with this court consist of little more than assertions that an order entered in a prior suit was improper. These arguments are barred by res judicata because they could have been presented in the appeal of the prior order. *See Test Masters Educ. Serv., Inc. v. Singh*, 428 F.3d 559, 571 (5th Cir. 2005). LaBlanche has failed to brief, and has thus abandoned, the claims he presented to the district court in his complaint. *See Yohey v. Collins*, 985 F.2d 222, 224-25 (5th Cir. 1993). He has not shown that his appeal presents a nonfrivolous claim. *See Carson*, 689 F.2d at 586. Accordingly, LaBlanche's IFP motion is DENIED, and this appeal is DISMISSED as frivolous. *See* 5TH CIR. R. 42.2.